

COUNTY OF SAN DIEGO
STATEMENT OF PROCEEDINGS
REGULAR MEETING OF BOARD OF SUPERVISORS
WEDNESDAY, DECEMBER 8, 1999

MORNING SESSION:

Meeting was called to order at 9:07 a.m.

Present: Supervisors Pam Slater, Chairwoman; Greg Cox; Ron Roberts; and Bill Horn; also Thomas J. Pastuszka, Clerk..

Absent: Supervisor Dianne Jacob, Vice Chairwoman

Approval of Statement of Proceedings/Minutes for meeting of November 17, 1999; Approval of Board of Commissioners' Housing Authority Statement of Proceedings/Minutes for Meetings of June 16, 1999 and September 15, 1999

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors approved the minutes for the meeting of November 17, 1999.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

Public Communication
(No Speakers)

Board of Supervisors' Agenda Items

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1. Noticed Public Hearing:
POD 98-09; Zoning Ordinance Permit Processing Streamlining Amendments
 2. An Ordinance Amending the County Fire Code; Wildland/Urban Interface Standards
 3. Traffic Advisory Committee Recommendations to the County Board of Supervisors
 4. Agreements with Environmental Firms to Provide Environmental Services on an As-Needed Basis
[The funding source is private developer permit and land use fees and deposits.]
4 VOTES

5. Construction of Cole Grade Road Improvements and Asphalt Concrete Overlay in Valley Center
[The funding sources are TransNet Exchange (\$1,400,000) and Gas Tax Funds (\$100,000)]
4 VOTES
6. New Appointments to the County's Science Advisory Board
7. Application for State Airport Improvement Matching Grants Program – Ramona Airport Runway 27 and Taxiway Improvements
[Funding sources for the budgeted amount are the Federal Airport Improvement Program (\$3,872,700), the State Airport Improvement Matching Grant Program (\$193,635), and the Airport Enterprise Fund (\$236,665)]
8. Property Tax Exchanges for Jurisdictional Changes: Consolidation of Tri-Cities Municipal Water District with Coastal Municipal Water District (RO 99-07)
9. Amendment to Agreement With Caltrans - Drainage Easements along State Route 125
(Relates to Flood Control District, Agenda No. 1)
10. Approval of the Amendment to Agreement (Substitution of Parties) for County of San Diego Tentative Parcel Map No. 18377, Located in the Spring Valley Planning Area
11. Approval of Amendment To Agreement to Improve, Release of Lien Contract, and Termination of Holding Agreement for County of San Diego Tract No. 4607-1, Final Map 13028, Located in the Fallbrook Planning Area
12. Administrative Item:
Approval of Final Maps and Secured Agreements for Public And Private Improvements for County of San Diego Tract Nos. 4569-5 And 4569-6, and Adoption of a Resolution Accepting an Irrevocable Offer of Dedication, Located in the San Dieguito Planning Area
13. Administrative Item:
Second Consideration and Adoption Of Ordinance Amendment to the San Diego County Code of Regulatory Ordinances Relating to the use of the California State Plane Coordinate System and Boundary Surveys
14. Administrative Item:
Second Consideration and Adoption of Ordinances
Amendment of the Uniform Sewer Ordinance For the Sanitation Districts and Sewer Maintenance Districts Operated by the County of San Diego
(Relates to Sanitation Districts Agenda No. 1)

15. Administrative Item:
Second Consideration and Adoption of Ordinance
Authority to Suspend the Pleasure Riding Trail Tax
 16. Closed Session
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1. **SUBJECT: NOTICED PUBLIC HEARING:
POD 98-09; ZONING ORDINANCE PERMIT PROCESSING
STREAMLINING AMENDMENTS**
(Supv. Dist: All)

OVERVIEW:

This is a hearing to consider amendments to the County Zoning Ordinance to streamline and improve certain land use permit processes. The proposed zoning streamlining amendments would eliminate or revise: 1) sign permit requirements for certain off-premise and on-premise specialty signs, 2) one procedural requirement for Site Plan permit applications, and 3) the Minor Use Permit requirement for certain land uses or zoning allowances.

FISCAL IMPACT:

If approved, these zoning amendments will result in \$0.00 current year cost, \$0.00 annual cost, and the addition of 0.0 staff years.

BUSINESS IMPACT STATEMENT:

These ordinance amendments will have a beneficial impact on the business community by streamlining several permit processing requirements relating to County land use permits.

RECOMMENDATION:

PLANNING COMMISSION:

That the Board of Supervisors take the following actions:

1. Find, on the basis of the whole record, that there is no substantial evidence that the proposed ordinance will have a significant effect on the environment. Consider the Negative Declaration, together with comments received during public review, and recommend adoption of it, finding that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt the attached Form of Ordinance:

AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATING TO
STREAMLINING OF REGULATIONS CONCERNING MINOR USE
PERMITS, SITE PLANS, AND SIGN PERMITS

RECOMMENDATION

DEPARTMENT OF PLANNING AND LAND USE:

The Department concurs with the Planning Commission recommendation.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 9101, (New Series) entitled: AN ORDINANCE AMENDING THE ZONING ORDINANCE RELATING TO STREAMLINING OF REGULATIONS CONCERNING MINOR USE PERMITS, SITE PLANS, AND SIGN PERMITS.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

2. **SUBJECT: AN ORDINANCE AMENDING THE COUNTY FIRE CODE;
WILDLAND/URBAN INTERFACE STANDARDS**
(Supv. Dist: All)

OVERVIEW:

On January 21, 1997 (1), the Board of Supervisors approved in principle, revisions to the County Building Code requiring Class A (non-combustible) roofing and directed staff to bring the Wildland/Urban Interface Standards back for review. Development of the Standards took over two years to complete, due to the length of time needed to build consensus among the project participants. Those participants included the Fire Service, Building Industry, Wildlife Agencies and County staff.

The Wildland/Urban Interface Standards will help safeguard life and property against destruction from wildfires by creating an area of defensible space along private roadways and between structures and combustible vegetation. This is a request to amend the County Fire Code by adopting those Wildland/Urban Interface Standards.

FISCAL IMPACT:

There is no fiscal impact associated with these actions.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Negative Declaration, together with the comments received during public review and adopt it, finding that it reflects the independent judgement and analysis of the Board of Supervisors.
2. Approve the findings, which document that the County Amendments to the California Building Standards Code are reasonably necessary because of local climatic, geographical or topographical conditions, pursuant to Section 17958 of the California Health and Safety Code.

3. Read title and waive further reading of the following Ordinance:

AN ORDINANCE AMENDING APPENDIX II-A OF THE COUNTY FIRE CODE RELATING TO WILDLAND/URBAN INTERFACE STANDARDS

Introduce this Ordinance for further consideration and adoption on December 15, 1999.

4. Direct the Clerk of the Board to provide a certified copy of the adopted Ordinance and findings to the California Building Standards Commission pursuant to California Health and Safety Code Section 17958.7.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, introducing Ordinance for further Board consideration on December 15, 1999.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

3. **SUBJECT: TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS TO THE COUNTY BOARD OF SUPERVISORS**
(Supv. Dist: All)

OVERVIEW:

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed changes or additions to traffic controls. This committee recommends your action on 23 items, recommending adoption of 13 items, not recommending adoption of or taking an alternative action on ten items (D, E, F, G, I1, I2, J, M, N, & O). Two items (C & H) were continued at the request of the respective community planning group prior to the meeting.

FISCAL IMPACT:

Funds for this proposal are budgeted in the Road Fund.

RECOMMENDATION:

TRAFFIC ADVISORY COMMITTEE:

Consider and file report including the following recommendations:

- (I) A. Lamar Street, north side, from the east line of Helix Street (north leg) easterly 80 feet, SPRING VALLEY-Establish a parking prohibition.
- B. Greenfield Drive and Victor Avenue, EL CAJON-Place on the County's Traffic Signal Priority List.

- C. Carlsbad Street and Noeline Avenue, SPRING VALLEY-This item was continued prior to the meeting at the request of the Spring Valley Community Planning Group.
- D. Olde Highway 80 between Lake Jennings Park Road and Dunbar Lane, FLINN SPRINGS-Do not reduce the existing 50 MPH speed limit. Direct that the 50 MPH speed limit be certified for radar enforcement.
- E. Rancho Santa Fe Farms Road and Lago Corte (private street), FAIRBANKS RANCH-Do not establish an all-way stop control.
- F. Rancho Santa Fe Farms Road and Poco Lago, FAIRBANKS RANCH-Do not establish an all-way stop control.
- G. Cape Horn Drive from the east line of Second Street easterly to the cul-de-sac, JULIAN-Establish a No Stopping zone on the south side of Cape Horn Drive from Second Street easterly to the beginning of the cul-de-sac. Also, establish a passenger loading zone within the cul-de-sac.
- H. Winter Haven Road and Green Canyon Road, FALLBROOK-This item was continued prior to the meeting at the request of the Fallbrook Community Planning Group.
- I1. Main Avenue and Dougherty Street, FALLBROOK-Do not establish an all-way stop control.
- I2. Main Avenue and View Street, FALLBROOK-Do not establish a stop control for northbound traffic on Main Avenue.
- J. Briarwood Road and Robinwood Road, BONITA-Do not establish an all-way stop control. Do place this intersection on the County's Traffic Signal Priority List.
- K. Pinkard Lane, west side, from a point 840 feet north of Highway 8 Business northerly 500 feet, LAKESIDE-Approve in principle the establishment of a parking prohibition.
- L. Section 72.126. of the County Code of Regulatory Ordinances relating to the parking of commercial vehicles in a Residential Area-Amend this section of the County Code of Regulatory Ordinances.
- M. Hanson Lane and Keyes Road, RAMONA-Do not establish an all-way stop control.

- N. Hutchison Street and Harris Drive, VISTA-Do not establish an all-way stop control. Do establish a stop control for northbound traffic on Harris Drive.
- O. Vista Grande Road and Canta Lomas, EL CAJON-Do not establish an all-way stop control.
- P1. Hidden Mesa Trail at Hidden Mesa Road, EL CAJON-Establish a stop control for northbound traffic on Hidden Mesa Trail.
- P2. Maplevue Street and Channel Road, LAKESIDE-Legalize a newly constructed traffic signal.
- P3. Lakeside Avenue and Channel Road, LAKESIDE-Legalize a newly constructed traffic signal.
- P4. Harbison Canyon Road and Bridle Run, ALPINE-Legalize a newly constructed traffic signal.
- P5. Stage Coach Lane and East Mission Road, FALLBROOK-Legalize a newly constructed traffic signal.
- P6. Jamacha Road and Leland Street, LA PRESA-Legalize a newly constructed traffic signal.
- P7. Petite Lane, east side, from a point 870 feet south of Julian Avenue southerly 190 feet, LAKESIDE-Delete a Bus Loading zone and establish a Parking Prohibition.
- P8. Omega Street, east side, from the north line of Jamacha Boulevard northerly 145 feet, LA PRESA-Establish a Parking Prohibition.
- P9. Calle Albara, south side, from a point 860 feet west of Jamacha Road westerly 120 feet, RANCHO SAN DIEGO-Establish a Parking Prohibition.

RECOMMENDATIONS

CHIEF ADMINISTRATIVE OFFICER:

1. Find pursuant to Section 15301 (c) of the California Environmental Quality Act (CEQA) guidelines that the following actions are exempt from environmental review since they are part of the operation of existing streets.
2. Concur with the Traffic Advisory Committee's (TAC's) recommendations with the exception of item L.

3. Amend subsection (c) of Section 72.126 of the County Code of Regulatory Ordinances pertaining to parking of commercial vehicles. Do not add a new subsection (d).
4. Adopt and/or amend the following Resolutions and Ordinance.

(II) Traffic Resolutions:

No. 299 (Item P2)

No. 300 (Items G and P7)

No. 301 (Items A, G, P7, P8, & P9)

No. 303 (Items P2, P3, P4, P5, & P6)

No. 304 (Items N, P1, & P3)

No. 305 (Item P2)

(III) Ordinances (Item L)

Read title and waive further reading of the following Ordinance

AN ORDINANCE AMENDING SECTION 72.126. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO

and introduce for further Board consideration and adoption on December 15, 1999.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors continued Items G and K to January 12, 2000; regarding Items E and F, directed the Chief Administrative Officer to establish two all-way stops on Rancho Santa Fe Farms Road at its intersection with Paco Lago and Lago Corte; directed Chief Administrative Officer to install permanent red flashing lights on the stop signs, install advance stop warning signs with permanent yellow flashing lights and bottle dots on Rancho Santa Fe Farms Road on all four approaches; took action as recommended on the remaining recommendations, on Consent, introducing Ordinance for further Board consideration on December 15, 1999; and adopting the following Resolutions:

No. 99-345 entitled: TRAFFIC RESOLUTION NO. 2441-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO

No. 99-346 entitled: TRAFFIC RESOLUTION NO. 2442-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO

No. 99-347 entitled: TRAFFIC RESOLUTION NO. 2443-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO

No. 99-348 entitled: TRAFFIC RESOLUTION NO. 2444-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO

No. 99-349 entitled: TRAFFIC RESOLUTION NO. 2445-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-350 entitled: TRAFFIC RESOLUTION NO. 2446-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-351 entitled: TRAFFIC RESOLUTION NO. 2447-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-352 entitled: TRAFFIC RESOLUTION NO. 2448-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-353 entitled: TRAFFIC RESOLUTION NO. 2449-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-354 entitled: TRAFIC RESOLUTION NO. 2450-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 303 RELATING TO THE ESTABLISHMENT OF SIGNALIZED INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-355 entitled: TRAFFIC RESOLUTION NO. 2451-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 300 RELATING TO THE ESTABLISHMENT OF LOADING ZONES IN THE COUNTY OF SAN DIEGO

No. 99-356 entitled: TRAFFIC RESOLUTION NO. 2452-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-357 entitled: TRAFFIC RESOLUTION NO. 2453-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-358 entitled: TRAFFIC RESOLUTION NO. 2454-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 305 RELATING TO THE ESTABLISHMENT OF THROUGH HIGHWAYS IN THE COUNTY OF SAN DIEGO

No. 99-359 entitled: TRAFFIC RESOLUTION NO. 2455-RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 304 RELATING TO THE ESTABLISHMENT OF STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-363 entitled: TRAFFIC RESOLUTION NO. 2475 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

No. 99-364 entitled: TRAFFIC RESOLUTION NO. 2476 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN THE COUNTY OF SAN DIEGO

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

4. **SUBJECT: AGREEMENTS WITH ENVIRONMENTAL FIRMS TO PROVIDE ENVIRONMENTAL SERVICES ON AN AS-NEEDED BASIS**
(Supv. Dist: All)

OVERVIEW:

The Department of Planning and Land Use has established three “As-Needed” contracts to assist the Department with environmental and landscape review on privately initiated discretionary land use applications. The original concept was to utilize these contracts during seasonal and other fluctuations in land use application workload. As the result of an increase in staff vacancies and an increase in real estate development activity, the Department of Planning and Land Use has relied much more heavily on these contracts than originally anticipated. As a result, the originally contracted amounts are insufficient for the contract period. The action before the Board today is, pursuant to the requirements of Board Policy F-40, to approve the increases in the contract values for these three contracts.

FISCAL IMPACT:

Funds for this request are not budgeted. If approved, this request will result in \$399,999 in current cost, \$240,001 in FY 00-01 and \$40,000 in FY 01-02, and the addition of 0.0 staff years. In addition \$20,000 was included in FY 98-99. The funding source is private developer permit and land use fees and deposits.

BUSINESS IMPACT STATEMENT:

Approval of this request will ensure the timely processing of applicant land use permits, thus preventing delays to the applicant's project.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Establish appropriations of \$200,000 in the Department of Planning and Land Use for environmental services based on overrealized revenues from private developer permit and land use fees and deposits. (4 VOTES)
2. Approve and authorize the Deputy Director, Purchasing and Contracting Division of the Department of General Services to execute amendments to the following agreements.
 - a. An amended agreement with PELA, Inc., to provide landscape review services on an as-needed basis for compensation not to exceed \$200,000.
 - b. An amended agreement with Cotton/Beland Associates, Inc., to provide environmental review services on an as needed basis for compensation not to exceed \$250,000.
 - c. An amended agreement with P&D Environmental Services to provide environmental review services on an as needed basis for compensation not to exceed \$250,000.
3. Designate the Director of Planning and Land Use as the County Officer responsible for administering each contract.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

5. **SUBJECT: CONSTRUCTION OF COLE GRADE ROAD IMPROVEMENTS
AND ASPHALT CONCRETE OVERLAY IN VALLEY CENTER**
(Supv. Dist: 5)

OVERVIEW:

On September 28, 1999 (23), the Board authorized the advertisement for bids of a project to construct improvements and place an asphalt concrete overlay on Cole Grade Road between Valley Center Road and Fruitvale Road in Valley Center. The project will benefit the community by increasing traffic safety and enhancing the structural integrity of the road.

Bids were subsequently opened on October 28, 1999. The bid submitted by Granite Construction Company, the low responsible and responsive bidder, is considered fair and reasonable. However, the bid, with an appropriate construction contingency, exceeds the \$1,350,000 previously authorized by the Board.

This is a proposal to increase the appropriations for this project by \$150,000 to allow for a contingency of \$202,703 for a total project appropriation amount of \$1,500,000. This action will also award a construction contract to Granite Construction Company in the amount of \$1,297,297.

FISCAL IMPACT:

Funds for this proposal are budgeted in the Department of Public Works Fiscal Year 1999-00 Detailed Work Program. The funding sources are TransNet Exchange (\$1,400,000) and Gas Tax Funds (\$100,000). Transferring \$150,000 from the TransNet Exchange Funds into this activity will allow an appropriate contingency level. The transfer of \$150,000 from the TransNet Exchange to this project will leave an unallocated balance of \$131,500 in the \$4.25 million TransNet Exchange Funds and will not impact any other project funded from this source. If approved, this request will result in a total project cost of \$1,500,000 in the current year, no annual cost and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Negative Declaration (ND) on file at the Department of Public Works dated July 21, 1998 has been adopted in compliance with California Environmental Quality Act (CEQA) and State and County CEQA guidelines, that the Board has reviewed and considered the information contained therein before approving the project, that the ND reflects the independent judgement and analysis of the Board; and

Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted ND, or a substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the ND was prepared.

2. Establish additional appropriations in the amount of \$150,000 in Org. 5766, Account 2324, Task 324 and Activity 2C4019 from funds available in the TransNet Exchange Fund. (4 VOTES)
3. Authorize the Deputy Director of Purchasing and Contracting to award a construction contract to Granite Construction Company in the amount of \$1,297,297.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

6. **SUBJECT: NEW APPOINTMENTS TO THE COUNTY'S SCIENCE
ADVISORY BOARD**
(Supv. Dist: All)

OVERVIEW:

On April 14, 1992 (45), the Board of Supervisors adopted a resolution to establish the Science Advisory Board for San Diego County. The Science Advisory Board is authorized eleven members. Effective October 31, 1999, two members resigned, creating two vacancies to be filled by new members appointed by the Board of Supervisors. This action will result in the appointment of two new members.

FISCAL IMPACT:

None.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Appoint Dr. Marvin Goldberger and Dr. Exequiel Ezcurra, to a three year term on the Science Advisory Board.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

7. **SUBJECT: APPLICATION FOR STATE AIRPORT IMPROVEMENT
MATCHING GRANTS PROGRAM – RAMONA AIRPORT
RUNWAY 27 AND TAXIWAY IMPROVEMENTS**
(Supv. Dist: 2)

OVERVIEW:

Ramona Airport is a general aviation airport located two miles west of the community of Ramona. The airport also serves as the base for the California Department of Forestry and the U.S. Forest Service fire air attack squadrons. On September 22, 1998 (1), the Board certified the Final Environmental Impact Report for the Ramona Airport Improvement Project, which included a project to extend Runway 27 and make improvements to the parallel taxiway. At the same meeting, the Board authorized the application and acceptance of grant funding from the Federal Aviation Administration Airport Improvement Program. This federal grant funding has covered nearly 90% of the project costs.

The State Division of Aeronautics also offers Airport Improvement Grants to assist local agencies to meet the local match required by the Federal Aviation Administration, once the federal grant has been accepted. This State matching grant is now available to the County, and would provide monies equal to 5% of the FAA grant amount.

The proposed resolution will approve submittal of an application and grant agreement for \$190,000 from the State Airport Improvement Matching Grants Program for Runway 27 and Taxiway Improvements at Ramona Airport. It will also authorize the Director, Department of Public Works, to submit the application and any other documents necessary for successful completion of the grant.

FISCAL IMPACT:

Funds for this project are budgeted in the Fiscal Year 1999-00 Airport Enterprise Fund Program Budget. The funding sources for the budgeted amount are the Federal Airport Improvement Program (\$3,872,700), the State Airport Improvement Matching Grant Program (\$193,635), and the Airport Enterprise Fund (\$236,665). The actual (\$3,800,000) amount received from the FAA was less than the amount budgeted. The difference between the expected grants (\$4,066,355) and the grants received (\$3,990,000) is \$313,000. This amount will be fully funded by the Airport Enterprise Fund. If approved, this request will result in current year revenue in the amount of \$190,000, no annual cost or revenue and will require no additional staff years.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Find that the Final Environmental Impact Report/Environmental Assessment (EIR/EA) dated September 1998, on file in the Department of Public Works as State Clearinghouse Number 98051020 has been completed in compliance with the California Environmental Quality Act (CEQA) and state and County CEQA Guidelines and the National Environmental Policy Act (NEPA); that the decision-making body has reviewed and considered the information contained therein prior to approving the project; and that the EIR/EA reflects the independent judgement of the Board of Supervisors; and

Find that there have been no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified EIR/EA and that no new information of substantial importance has become available since said EIR/EA was prepared.

2. Adopt a Resolution entitled Resolution Approving the Application and Grant Agreement (Contingent upon State Grant Approval) For Funding under the State Airport Improvement Matching Grants Program for Runway 27 And Taxiway Improvements at Ramona Airport.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 99-360, entitled: RESOLUTION APPROVING THE APPLICATION AND GRANT AGREEMENT (CONTINGENT UPON STATE GRANT APPROVAL) FOR FUNDING UNDER THE STATE AIRPORT IMPROVEMENT MATCHING GRANT PROGRAM FOR RUNWAY 27 AND TAXIWAY IMPROVEMENTS AT RAMONA AIRPORT.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

8. **SUBJECT: PROPERTY TAX EXCHANGES FOR JURISDICTIONAL CHANGES: CONSOLIDATION OF TRI-CITIES MUNICIPAL WATER DISTRICT WITH COASTAL MUNICIPAL WATER DISTRICT (RO 99-07)**
(Supv. Dist: 5)

OVERVIEW:

Section 99 of the Revenue and Taxation Code requires that the Board of Supervisors adopt a property tax exchange before the Local Agency Formation Commission (LAFCo) can process a proposal for jurisdictional change.

This is a request to consider the consolidation of the Tri-Cities Municipal Water District and the Coastal Municipal Water District including the detachment of existing Tri-Cities Municipal Water District service territory located in San Diego County.

It is also a request to forward a letter from the Board of Supervisors to the Orange County Local Agency Formation Commission stating that the County of San Diego does not agree that LAFCo has the authority to transfer unitary property tax.

FISCAL IMPACT:

This request will result in an increase to the County General Fund of approximately \$9,000 per year from non-unitary property tax revenue. The allocation of unitary property tax revenue is not subject to the negotiation process.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Adopt the Resolution Regarding Negotiated Property Tax Exchange Relative to Jurisdictional Changes.
2. Authorize the Chairwoman to sign the letter to the Orange County LAFCo regarding allocation of unitary property tax revenue.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, adopting Resolution No. 99-361, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

9. **SUBJECT: AMENDMENT TO AGREEMENT WITH CALTRANS - DRAINAGE EASEMENTS ALONG STATE ROUTE 125**
(Supv. Dist: 2)

OVERVIEW:

On August 15, 1995 (21), the Board approved the Cooperative Agreement No. 11-8181 for Sweetwater Road drainage easements with the State of California Department of Transportation (Caltrans). This agreement allowed Caltrans to take ownership of various drainage easements to construct the State Route 125 freeway (SR-125) in the Spring Valley area. Upon completion of construction, Caltrans will return those easements outside of the freeway right-of-way to the County and the Flood Control District.

This arrangement will benefit the community through better drainage facilities that will greatly decrease the risk of flood. It also benefits the County and its customers through lower maintenance costs, both during construction because Caltrans is currently maintaining the sites; and after construction, when those sites outside the freeway right-of-way are returned, because they will be less costly to maintain than were the interim facilities.

Due to unforeseen scheduling conflicts, Caltrans has determined that the SR-125 project will not be completed before the December 31, 1999 termination date of the agreement. Caltrans has requested an extension of two years, resulting in a termination date of December 31, 2001.

FISCAL IMPACT:

There are annual maintenance savings between \$25,000 and \$30,000 during the time that Caltrans has possession of the drainage easements. There will also be savings once the drainage facilities are returned to the County and Flood Control District. This is because Caltrans will keep some of the facilities as part of the freeway right-of-way, and those returned to the County will be improved and therefore cheaper to maintain. It is expected that these annual savings will be approximately \$20,000 per year.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061(b)(3) of California Environmental Quality Act (CEQA) Guidelines that this action is not a project as defined in Section 15378 (3)(b)(2) and is therefore not subject to CEQA.
2. Approve and authorize the Clerk of the Board to execute five copies of the amendment to the agreement with Caltrans to extend the termination date to December 31, 2001.

(Relates to Flood Control District Agenda No. 1)

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

10. **SUBJECT: APPROVAL OF THE AMENDMENT TO AGREEMENT (SUBSTITUTION OF PARTIES) FOR COUNTY OF SAN DIEGO TENTATIVE PARCEL MAP NO. 18377, LOCATED IN THE SPRING VALLEY PLANNING AREA**
(Supv. Dist: 2)

OVERVIEW:

This project is a two-parcel minor subdivision located in the Spring Valley area on the north side of Crest Drive, approximately 1000' west of Lamar Street. (Thomas Guide, Page 1271, C7, 2000 Edition).

The project is being brought before the Board for approval of the amendment to the secured agreement for the public improvements.

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve the "Amendment to Agreement to Improve Subdivision (Substitution of Parties)" and authorize execution by the Clerk of the Board.
2. Accept the "Improvement Security Agreement - Cash Deposit" for subdivision improvements and authorize execution by the Clerk of the Board.
3. Authorize the release of the existing security by the Clerk of the Board.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

11. **SUBJECT: APPROVAL OF AMENDMENT TO AGREEMENT TO IMPROVE, RELEASE OF LIEN CONTRACT, AND TERMINATION OF HOLDING AGREEMENT FOR COUNTY OF SAN DIEGO TRACT NO. 4607-1, FINAL MAP 13028, LOCATED IN THE FALLBROOK PLANNING AREA**
(Supv. Dist: 5)

OVERVIEW:

This is a request to release the Lien Contract and Holding Agreement for a recorded planned development with 65 single-family residential lots and a total acreage of 11.92 acres. It is located in the Fallbrook area, on the west side of Hill Avenue at Almond Street. (Thomas Guide, Page 1027, F4, 2000 Edition).

FISCAL IMPACT:

Not applicable.

BUSINESS IMPACT STATEMENT:

Not applicable.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

1. Approve the Amendment to Agreement to Improve Major Subdivision, Release of Lien Contract and Termination of Holding Agreement, authorize execution by the Clerk of the Board.
2. Direct the Clerk of the Board to forward the Amendment to Agreement to Improve Major Subdivision, Release of Lien Contract and Termination of Holding Agreement to the County Recorder for recordation and to notify the Holding Company.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

12. **SUBJECT: ADMINISTRATIVE ITEM:**
APPROVAL OF FINAL MAPS AND SECURED AGREEMENTS
FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR COUNTY
OF SAN DIEGO TRACT NOS. 4569-5 AND 4569-6, AND
ADOPTION OF A RESOLUTION ACCEPTING AN
IRREVOCABLE OFFER OF DEDICATION, LOCATED IN THE
SAN DIEGUITO PLANNING AREA
(Supv. Dist: 5)

OVERVIEW:

TM 4569-5 and TM 4569-6 are two units of the same planned development. They are located in the Rancho Santa Fe area, on the north side of Avenida del Duque at Seven Bridges Road. (Thomas Guide, Page 1148, E4 through F4, 1999 Edition)

TM 4569-5 is a subdivision consisting of 11 residential lots, 1 private street lot, and a total acreage of 16.34 acres. TM 4569-6 is a subdivision consisting of 15 residential lots, 1 private street lot, 1 open space lot, and a total acreage of 301.95 acres.

These projects are being brought before the Board for approval of the final maps and the secured agreements for the public and private improvements, and for adoption of the resolution accepting an irrevocable offer of dedication

FISCAL IMPACT:

This request will have no fiscal impact.

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER:**

1. Approve the final maps for TM 4569-5 and 4569-6.
2. Accept the access rights from Lot 192 and the portion of Avenida del Duque reserved for future street in and to Avenida del Duque, as relinquished and waived on TM 4569-5.
3. Reject, on behalf of the public, the portion of Avenida del Duque reserved for future street, together with the right to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the right-of-way, as offered for dedication on TM 4569-5.
4. Reject, on behalf of the public, the access rights from lots 192 through 197, inclusive, in and to the portions of Avenida del Duque reserved for future street as offered on TM 4569-5.
5. Adopt the Resolution Accepting an Irrevocable Offer of Dedication, accepting a portion of the offer of dedication of Doc. No. 79-277451, recorded July 3, 1979. (Attachment G)
6. Direct the Clerk of the Board of Supervisors to record the adopted Resolution Accepting an Irrevocable Offer of Dedication with the San Diego County Recorder.
7. Approve the two separate Joint Agreements to Improve Major Subdivision for TM 4569-5 and TM 4569-6, which include the street improvements and drainage facilities, sewer facilities, water facilities, and setting of final monuments, and authorize execution by the Clerk of the Board of Supervisors.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 99-362, entitled: RESOLUTION ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

13. **SUBJECT: ADMINISTRATIVE ITEM:**
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
AMENDMENT TO THE SAN DIEGO COUNTY CODE OF
REGULATORY ORDINANCES RELATING TO THE USE OF THE
CALIFORNIA STATE PLANE COORDINATE SYSTEM AND
BOUNDARY SURVEYS
(Supv. Dist: All)

OVERVIEW:

On November 17, 1999 (6), your Board introduced Ordinance for further Board consideration on December 8, 1999.

Before an area can be developed, a final map or parcel map must be submitted to the County and approved. In order to make such a map, the developer hires a private surveyor, who makes an accurate survey of the property, tied to existing survey monuments. Since 1989, the County Code of Regulatory Ordinances has required the use of the California Coordinate System as a basis of bearings for all newly recorded final maps and parcel maps. The State Public Resources Code has been amended as it relates to the use of the California Coordinate System, effective January 1, 2000.

This proposal will amend portions of Title 8, Division 1 of the County Code of Regulatory Ordinances to bring it into compliance with the State of California Public Resources Code as it relates to the geographical positioning of final maps and parcel maps.

The proposed change is an increase in the level of accuracy that mathematically establishes the basis for each map's geographic location. The change in State Law requires that any maps based on the California Coordinate System be based on first-order control rather than the current third-order after December 31, 1999. "First-order" and "third-order" are surveying terms that refer to the degree of accuracy; first-order monuments are extremely accurate, so maps tied to those monuments will also be more accurate. The County and the public will benefit from this change in that as more first-order monuments are established, both maps and the San Diego Geographic Information Sources database will be based on more accurate measurements.

The required increase in accuracy could potentially make it more difficult for surveyors using conventional equipment to find existing first-order monuments with which to establish the surveying control needed for maps. A cooperative effort between the Department of Public Works and the private surveying community is currently underway to establish more first-order monuments before the end of December, which will help ensure that first-order control is available for all maps.

An additional change is proposed to the Ordinance to comply with the State of California Business and Professions Code regarding the processing of Boundary Surveys. It is to change the reference of who processes the private surveyor's boundary surveys from the Director of Public Works to the County Surveyor. The County Ordinance currently requires that a record of survey map be filed with the Director of Public Works, and that the Director shall check the map for conformance with State Law. This amendment would bring the County Ordinance into compliance with the State Business and Professions Code by indicating that these maps will be filed with and checked by the County Surveyor.

This is also a request to establish appropriations of \$125,000 in Field Surveys from funds available in the Survey Remonumentation Fund in order to re-establish monuments at a first-order level of accuracy. This represents the maximum amount that this effort could cost.

FISCAL IMPACT:

Funds for this request are available in the Survey Remonumentation Fund. If approved, the establishment of first-order coordinates on existing monumentation will have a temporary Impact on the Survey Remonumentation Fund. It is anticipated that up to 200 historic monuments, such as government section corners and rancho corners, may be coordinated, resulting in a maximum cost of approximately \$125,000 during Fiscal Year 99-00. Assigning the coordination of these monuments to the Remonumentation Fund avoids the need to establish a fee or attempt to identify General Funds to cover these costs. This request will require no additional staff years.

BUSINESS IMPACT STATEMENT:

If approved, the requirement to use first-order coordinates will not impact surveyors who possess Global Positioning System (GPS) survey equipment that can obtain first-order coordinate results. Under current County Ordinance, private surveyors, particularly those using conventional survey equipment, may request assistance from the County to establish control points within a half-mile radius of their client's property if none currently exist. There is no fee associated with these requests, and if the County does not establish control for the surveyor within 30 days, the requirement can be waived under current County Ordinance.

DPW has already been working to densify monumentation in county areas of future development where surveys are expected to occur after December 31, 1999. Through these efforts, it is anticipated that first-order control will be available for surveyors when they need it.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt Ordinance entitled:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF
REGULATORY ORDINANCES RELATING TO THE CALIFORNIA COORDINATE
SYSTEM AND BOUNDARY SURVEYS

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 9102, (New Series) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO THE CALIFORNIA COORDINATE SYSTEM AND BOUNDARY SURVEYS.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

14. **SUBJECT: ADMINISTRATIVE ITEM:**
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES
AMENDMENT OF THE UNIFORM SEWER ORDINANCE FOR
THE SANITATION DISTRICTS AND SEWER MAINTENANCE
DISTRICTS OPERATED BY THE COUNTY OF SAN DIEGO
(Supv. Dist: All)

OVERVIEW:

On November 17, 1999 (8), your Board introduced Ordinances for further Board consideration on December 8, 1999.

On May 11, 1999 (3) the Board approved the divestiture of the County of San Diego's commercial/industrial wastewater permitting and monitoring program within the Department of Public Works. As a result of this divestiture, the regulatory and permitting tasks associated with this program were contracted out to the City of San Diego. The City of San Diego has requested that specific provisions be added to the County of San Diego's Uniform Sewer Ordinance to provide them the regulatory enforcement authority they need to fulfill the contract agreement.

Further, in order to eliminate redundancy and improve clarity, the stand-alone document titled "Rules and Regulations for Use of District Sewers" shall be incorporated into the Uniform Sewer Ordinance.

Board action is requested to repeal both the existing Uniform Sewer Ordinance and Rules and Regulations for Use of District Sewers and approve and re-adopt the revised Uniform Sewer Ordinance.

FISCAL IMPACT:

This request will not impact the County General Fund and will require no additional staff years.

BUSINESS IMPACT STATEMENT:

The City of San Diego is contracted to perform the commercial/industrial waste-monitoring program for the Alpine, Lakeside and Spring Valley Sanitation Districts and the Wintergardens Sewer Maintenance District. Because the City's inspection program focuses mainly on businesses whose discharges could impact the City's wastewater treatment plant, the number of overall inspections will decrease by approximately 1,450 from the levels of inspections that were previously conducted by County staff, thus reducing impacts and interruptions to certain businesses.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:

Adopt the following Ordinances entitled:

AN ORDINANCE REPEALING AND READOPTING THE SAN DIEGO COUNTY UNIFORM SEWER ORDINANCE, PROVIDING FOR THE MANAGEMENT OF DEPENDENT SAN DIEGO COUNTY SANITATION DISTRICTS AND ESTABLISHING PROVISIONS FOR THE USE OF SEWERAGE FACILITIES OF COUNTY SANITATION DISTRICTS AND SEWER MAINTENANCE DISTRICTS;

AN ORDINANCE REPEALING THE ORDINANCE ADOPTING THE RULES AND REGULATIONS FOR THE USE OF DISTRICT SEWERS," PROVIDING FOR THE MANAGEMENT OF DEPENDENT SAN DIEGO COUNTY SANITATION DISTRICTS AND ESTABLISHING PROVISIONS FOR THE USE OF SEWERAGE FACILITIES OF COUNTY SANITATION DISTRICTS AND SEWER MAINTENANCE DISTRICTS, WITH SUCH REPEAL TO BECOME EFFECTIVE AFTER THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE_____

AN ORDINANCE OF THE EAST OTAY MESA SEWER MAINTENANCE DISTRICT PROVIDING FOR THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE _____REFERENCE,

AN ORDINANCE OF THE WINTER GARDENS SEWER MAINTENANCE DISTRICT PROVIDING FOR THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE _____ BY REFERENCE, and

(Relates to Sanitation Districts Agenda No. 1)

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting the following Ordinances entitled:

- No. 9103 (N.S.) AN ORDINANCE REPEALING AND READOPTING THE SAN DIEGO COUNTY UNIFORM SEWER ORDINANCE, PROVIDING FOR THE MANAGEMENT OF DEPENDENT SAN DIEGO COUNTY SANITATION DISTRICTS AND ESTABLISHING PROVISIONS FOR THE USE OF SEWERAGE FACILITIES OF COUNTY SANITATION DISTRICTS AND SEWER MAINTENANCE DISTRICTS
- No. 9104 (N.S.) AN ORDINANCE REPEALING THE ORDINANCE ADOPTING THE "RULES AND REGULATIONS FOR THE USE OF DISTRICT SEWERS," PROVIDING FOR THE MANAGEMENT OF DEPENDENT SAN DIEGO COUNTY SANITATION DISTRICTS AND ESTABLISHING PROVISIONS FOR THE USE OF SEWERAGE FACILITIES OF COUNTY SANITATION DISTRICTS AND SEWER MAINTENANCE DISTRICTS, WITH SUCH REPEAL TO BECOME EFFECTIVE AFTER THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE 9103 (N.S.).
- No. 9105 (N.S.) AN ORDINANCE OF THE EAST OTAY MESA SEWER MAINTENANCE DISTRICT PROVIDING FOR THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE 9103 (N.S.) BY REFERENCE.
- No. 9106 (N.S.) AN ORDINANCE OF THE WINTER GARDENS SEWERMAINTENANCE DISTRICT PROVIDING FOR THE ADOPTION OF SAN DIEGO COUNTY ORDINANCE 9103 (N.S.) BY REFERENCE.

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

15. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
AUTHORITY TO SUSPEND THE PLEASURE RIDING TRAIL
TAX
(Supv. Dist: All)**

OVERVIEW:

On November 17, 1999 (10), your Board introduced Ordinance for further Board consideration on December 8, 1999.

At its meeting on August 6, 1999 the Sunset Advisory Board voted to recommend that the Pleasure Riding Trail Tax (County Code of Regulatory Ordinances, Title 2, Division 4, Chapter 1, Section 24.101 through Section 24.118) be eliminated. The item was placed on the Sunset Advisory Board agenda at the request of a Sunset Advisory Board member.

The Board adopted the Pleasure Riding Trail Tax in 1978 as a means of funding the acquisition, construction and maintenance of riding and hiking trails. The tax is imposed annually for horses and other equines used for pleasure riding or trail riding. The amount of tax is \$10.00 per year for each license or \$16.00 for a two-year license. The total amount in the fund is approximately \$15,000 (with \$300 to \$400 likely to be encumbered by a current maintenance project). The amount of tax collected in FY98/99 was \$1,494.00.

The Sunset Advisory Board recommended the elimination of this tax because they felt it is unfair that only equestrians are taxed; various trail user groups have expressed concerns as to the fairness of the Pleasure Riding Trail Tax; and there is no active enforcement of the tax. The elimination of this tax will require either a General Plan Amendment or could be included in the General Plan revision currently underway. Therefore, until such time as the General Plan is changed, it is recommended that authority be established for suspending collection of this tax.

FISCAL IMPACT:

The proposed actions will not have a direct fiscal impact. Based upon past and current expenditures, the existing fund balance is sufficient to cover anticipated costs for several years. The existing fund balance of \$14,980 may justify the suspension of collecting this tax, but the elimination of this tax will require further action by the Board following necessary changes to the County General Plan.

The annual expenditures against this trail tax have been only \$300 to \$600 per year, which has allowed the fund balance to build. The existing balance of the fund will allow interim efforts to continue while long-term funding is established. The overall question of funding for acquisition, maintenance, and operation of a comprehensive trails program is being developed as part of the proposed Strategic Plan for Regional Trails which will be presented to the Board in early 2000.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt Ordinance entitled:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF
REGULATORY ORDINANCES, RELATING TO THE PLEASURE RIDING TRAIL
TAX

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 9107, (New Series) entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO THE PLEASURE RIDING TRAIL TAX .

AYES: Cox, Slater, Roberts, Horn

ABSENT: Jacob

16. **SUBJECT: Closed Session**
(Supv. Dist: All)

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Vivian Furgiuele, et al. v. County of San Diego, et al.; North County Superior Court No. N080460
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Carla Zilka, et al. v. County of San Diego, et al.; North County Superior Court No. 724393
- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Edward Wilson, et al. v. County of San Diego, et al.; San Diego Superior Court No. 728738
- D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Karol Bailey v. County of San Diego, et al.; San Diego Superior Court No. 729610
- E. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Anticipated litigation pursuant to section (c) of Government Code section 54956.9
No. of Potential Cases: 1
- F. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Anticipated litigation pursuant to section (b) of Government Code section 54956.9
No. of Potential Cases: 1 -
- G. CONFERENCE WITH LEGAL COUNSEL– THREATENED LITIGATION
Anticipated litigation pursuant to section (b) of Government Code section 54956.9
No. of Potential Cases: 1

H. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
Anticipated litigation pursuant to section (b) of Government Code section 54956.9

No. of Potential Cases: 1

ACTION:

County Counsel reported the following:

Item A: The Board of Supervisors has authorized County Counsel to reject an arbitration award and file for a trial de novo.

Item B: The Board of Supervisors has authorized County Counsel to accept a settlement agreement in the amount of \$105,562.50.

Item C: The Board of Supervisors has authorized County Counsel to enter into a settlement in the amount of \$500,000.

There being no further business, the Board adjourned at 9:28 a.m.

THOMAS J. PASTUSZKA

Clerk of the Board of Supervisors
County of San Diego, State of California

Notes by: Andoh

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NOTE: This Statement of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.